

Message Text

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ACTION IO-14

INFO OCT-01 AF-10 EUR-12 NEA-10 ISO-00 ARA-10 EA-07
CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03 NSAE-00
NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 DHA-02
EB-08 COME-00 TRSE-00 FEA-01 INT-05 /126 W
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P R 292324Z JUL 77
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC PRIORITY 4679
INFO AMEMBASSY ADDIS ABABA
AMEMBASSY DAR ES SALAAM
AMEMBASSY LONDON
AMEMBASSY LUSAKA
AMEMBASSY MOSCOW
AMEMBASSY NEW DELHI
AMEMBASSY PARIS
AMEMBASSY PRETORIA
AMCONSUL CAPETOWN

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E.O. 11652: N/A
TAGS: PFOR, UNSC, US, RH
SUBJ: SECURITY COUNCIL: RHODESIAN SANCTIONS COMMITTEE (SRSC)

REF: USUN 2365

1. SUMMARY: AT SRSC MEETING JUL 28, ZAMBIAN PERM REP
KONIE COMPLAINED CONCERNING ALLEGATIONS OF ZAMBIAN COMPLICITY
ON SANCTIONS. COMMITTEE DEADLOCKED ON HOW TO PROCEED
WITH FURTHER DISCUSSION OF EXPANSION OF SANCTIONS UNDER
ARTICLE 41. CHAIRMAN INTRODUCED DRAFT RESOLUTION FOR
CONSIDERATION BY THE COMMITTEE, AND COMMITTEE AGREED NOT
TO MEET AGAIN UNTIL AFTER LABOR DAY. END SUMMARY.

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2. PRIOR TO THE FORMAL ADOPTION OF THE AGENDA OF THE
SRSC MEETING ON JULY 28, THE VICE-CHAIRMAN, AMBASSADOR
JAIPAL OF INDIA, INFORMED THE COMMITTEE THAT HE HAD, ON
HER REQUEST, INVITED AMBASSADOR KONIE OF ZAMBIA TO ADDRESS
THE COMMITTEE INFORMALLY. CHAIRMAN, IN ASKING THE COMMITTEE
TO HEAR AMBASSADOR KONIE, POINTED OUT THAT HE HAD MET WITH
HER JULY 27, AT WHICH TIME SHE HAD TAKEN STRONG EXCEPTION

TO HIS PREVIOUS REPRESENTATION TO HER CONCERNING TARDY AND OUTSTANDING REPLIES TO THE SANCTIONS COMMITTEE CONCERNING POSSIBLE BREACHES OF SANCTIONS BY ZAMBIA. THE COMMITTEE, FACED WITH A NEAR FAIT ACCOMPLI, AGREED TO HEAR AMBASSADOR KONIE, WHO DEFENDED THE HONOR OF ZAMBIA ON ALL ACCOUNTS AND IN ALL CASES. HER STATEMENT TO THE COMMITTEE, AS A NON-MEMBER OF THE SECURITY COUNCIL, SETS A PRECEDENT, AND THE US AND UK REPS SUGGESTED THAT HER PRESENTATION BE PRESENTED TO THE COMMITTEE AS A NORMAL, WRITTEN REPLY TO THE COMMITTEE, THIS WAS AGREED TO BY THE COMMITTEE. FOLLOWING THIS DECISION, AMBASSADOR KONIE WITHDREW, AND THE COMMITTEE PROCEEDED WITH THE ADOPTION OF THE AGENDA.

3. THE ONLY SUBSTANTIVE POINT ON THE AGENDA FOR THIS MEETING WAS THE IMPLEMENTATION OF PARAGRAPHS 3 AND 12 OF SECURITY COUNCIL RESOLUTIONS 409 AND 411, RESPECTIVELY. AS EXPECTED, THE SOVIET LED OFF WITH AN IMMEDIATE CALL FOR THE COMMITTEE TO BEGIN PROMPT WORK ON EXPANSION OF SANCTIONS UNDER ALL ASPECTS OF ARTICLE 41. THE SOVIETS WERE SUPPORTED BY LIBYA AND BENIN. THE WESTERN MEMBERS OF THE SECURITY COUNCIL, LED BY THE US AND THE UK, RESISTED THE SOVIET PROPOSAL, WHICH ALSO CALLED UPON THE SECRETARIAT TO DRAW UP A DRAFT REPORT FOR THE SECURITY COUNCIL CONTAINING RECOMMENDATIONS FOR THE FULL IMPLEMENTATION OF ARTICLE 41. THE US REP REITERATED THAT SUBJECT OF AMERICAN CITIZENS TRAVELLING TO AND COMMUNICATING WITH OTHER LIMITED OFFICIAL USE

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INDIVIDUALS IN SOUTHERN RHODESIA HAD BEEN RAISED BEFORE IN CONNECTION WITH SEVERAL CASES BEFORE THE COMMITTEE. HE POINTED OUT THAT THE US HAD FOUND CERTAIN CONFLICTS BETWEEN THE FREEDOMS AND GUARANTEES UNDER THE US CONSTITUTION TO ITS CITIZENS AND ACTIONS CONTEMPLATED BY THE SECURITY COUNCIL UNDER ARTICLE 41. THUS, THE US COULD NOT AGREE TO ACTION THAT WOULD INFRINGE GUARANTEES CONTAINED IN THE CONSTITUTION ON BASIC HUMAN RIGHTS SUCH AS FREEDOM TO TRAVEL. HE CONCLUDED BY EMPHASIZING THAT EVEN THOUGH THE US GOVERNMENT COULD NOT PREVENT TRAVEL TO RHODESIA, IT HAD TAKEN ACTIVE MEASURES TO DISCOURAGE TRAVEL THERE. AS THERE WAS CLEARLY NO CONSENSUS, THE CHAIRMAN WISELY AND WITH GOOD UNDERSTANDING OF THE SENSE OF THE COMMITTEE AFFIRMED THAT IT WAS TOO EARLY TO BEGIN WORK ON A REPORT BEFORE THE COMMITTEE COULD AGREE ON THE GUIDELINES AND THE SUBSTANCE OF SUCH A REPORT. THEN TO THE SURPRISE OF THE WESTERN MEMBERS OF THE COMMITTEE, JAIPAL INTRODUCED FOR COMMITTEE CONSIDERATION THE FOLLOWING DRAFT RESOLUTION:

"THE SECURITY COUNCIL,

"REAFFIRMING ITS RESOLUTION 216, 217, 221, 232,

253, 277, 338, 409, AND 411,

"REAFFIRMING ALSO THAT THE MEASURES PROVIDED FOR IN
THOSE RESOLUTIONS, AS WELL AS THE ACTIONS TAKEN BY MEMBER
STATES IN PURSUANCE THEREOF, SHALL BE STRENGTHENED, AS
THEY HAVE NOT YET RESOLUTED IN THE DESIRED OBJECTIVE,

"TAKING INTO ACCOUNT THE REPORT MADE BY THE SECURITY
COUNCIL COMMITTEE ESTABLISHED IN PURSUANCE OF RESOLUTION
253 ON THE APPLICATION OF FURTHER MEASURES UNDER ARTICLE 41
OF THE CHARTER OF THE UNITED NATIONS TO TIGHTEN THE SCOPE
OF THE SANCTIONS,

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"CONSIDERING THAT NO GREATER COLLECTIVE PEACEFUL
CONTRIBUTION CAN BE MADE TO THE TERMINATION OF THE ILLEGAL
REGIME IN SOUTHERN RHODESIA THAN THE MORE EFFECTIVE APPLICA-
TION OF COMPREHENSIVE, MANDATORY AND STRICTLY SUPERVISED
SANCTIONS AGAINST THE SALE OR EXPORT OF PETROLEUM AND
PETROLEUM PRODUCTS, DIRECTLY OR INDIRECTLY, TO SOUTHERN
RHODESIA,

"CONSCIOUS THAT CERTAIN SOUTH AFRICAN SUBSIDIARIES
OF OIL COMPANIES OF SOME MEMBER STATES ARE INVOLVED IN
THE VIOLATION OF OIL SANCTIONS AGAINST SOUTHERN RHODESIA,
WITH OR WITHOUT THE KNOWLEDGE OF THEIR PARENT COMPANIES,

"REAFFIRMING THAT THE SITUATION IN SOUTHERN RHODESIA
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CONTINUES TO BE A THREAT TO INTERNATIONAL PEACE AND SECURITY,
AND CALLS THEREFORE FOR FURTHER TIGHTENING OF SANCTIONS,

"ACTING UNDER CHAPTER VII OF THE CHARTER OF THE UNITED
NATIONS,

"1. DECIDES THAT MEMBER STATES SHALL RE"EXAMINE
THEIR SANCTIONS LEGISLATION AND ENFORCEMENT MEASURES WITH
A VIEW TO EXTENDING THEIR APPLICATION TO THE SUBSIDIARIES
IF ANY OF SUCH OF THEIR CORPORATE ENTITIES THAT MAY BE
ESTABLISHED IN SOUTH AFRICA, SO AS TO PROHIBIT THE SALE
OR EXPORT OF PETROLEUM AND PETROLEUM PRODUCTS BY THEM,
DIRECTLY OR INDIRECTLY, TO SOUTHERN RHODESIA AND TO
PRESCRIBE DETERRENT PENALTIES ON PARENT OIL COMPANIES IN
CASES OF VIOLATIONS OF SANCTIONS BY THEIR SUBSIDIARIES, AND

"2. URGES, HAVING REGARD TO THE PRINCIPLE STATED
IN ARTICLE 2, PARA 6, OF THE CHARTER OF THE UNITED NATIONS,
STATES NOT MEMBERS OF THE UNITED NATIONS TO ACT IN
ACCORDANCE WITH THE PROVISIONS OF THE PRESENT RESOLUTION."

4. FOLLOWING THE INTRODUCTION OF HIS DRAFT RESOLUTION,
AMBASSADOR JAIPAL SUGGESTED THAT BECAUSE OF THE URGENCY
CONTAINED IN PARAGRAPH 3 OF SECURITY COUNCIL RESOLUTION 409
AND PARAGRAPH 12 OF SECURITY COUNCIL RESOLUTION 411, IT
MIGHT BE DESIRABLE FOR THE COMMITTEE TO CONTINUE ITS WORK
THROUGHOUT AUGUST SO THAT IN SEPTEMBER THE COMMITTEE WOULD
BE IN THE POSITION TO FORWARD TO THE SECURITY COUNCIL A
REPORT AND A DRAFT RESOLUTION COVERING EXPANSION OF
PRACTICAL MEASURES TO FURTHER ENFORCE SANCTIONS AGAINST
SOUTHERN RHODESIA.

5. FOLLOWING A SOMEWHAT HEATED DISCUSSION, JAIPAL FINALLY
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RULED THAT BECAUSE OF MAJOR OPPOSITION IN THE COMMITTEE,
THE NEXT MEETING WOULD BE IN SEPTEMBER, AT WHICH TIME HE
ASKED THAT ALL MEMBERS BE PREPARED TO DISCUSS PRACTICAL

MEASURES, INCLUDING THE MOST USEFUL SUGGESTIONS PUT FORTH BY MR. RIVERS AT THE LAST MEETING ON THE SUPPLY OF OIL TO RHODESIA.

6. COMMENT: ALTHOUGH THE WESTERN MEMBERS OF THE COMMITTEE WERE NOT PREPARED FOR THE MILD RESOLUTION PUT FORTH BY THE VICE-CHAIRMAN OR HIS WILLINGNESS TO WORK THE COMMITTEE DURING AUGUST, ONCE AGAIN JAIPAL ASSISTED THE COMMITTEE IN REACHING GENERALLY ACCEPTABLE DECISION AND ONES ABOUT WHICH THE WEST CANNOT COMPLAIN. WE HAVE THUS BOUGHT FIVE WEEKS OR MORE BEFORE A FURTHER SERIOUS DISCUSSION ON SANCTIONS CAN TAKE PLACE. FOLLOWING THE MEETING, AMBASSADOR JAIPAL APPROACHED THE US REP AND QUITE BLUNTLY STATED THAT HE PERSONALLY HOPED THAT THE WEST WOULD RETURN IN THE FALL PREPARED TO STOP STUMBLING AND ENGAGE IN A SERIOUS AND POSITIVE DISCUSSION OF A BROADER IMPLEMENTATION OF SANCTIONS AGAINST SOUTHERN RHODESIA.
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